

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)	
)	
CIRCUIT CITY STORES, INC., et al.,)	Case No. 08-35653-KRH
)	Chapter 11
Debtors.)	(Jointly Administered)

**JOINDER OF 502-12 86TH STREET, LLC, COTTONWOOD CORNERS –
PHASE V, LLC AND WOODLAWN TRUSTEES, INCORPORATED TO
MOTION FOR LEAVE TO FILE INTERLOCUTORY APPEAL FROM THE
ORDER OF THE BANKRUPTCY COURT DATED JANUARY 26, 2009,
STYLED “FINDINGS OF FACT AND CONCLUSIONS OF LAW FROM
HEARING HELD DECEMBER 22, 2008 ON MOTION TO COMPEL PAYMENT
OF POSTPETITION RENT” AND MEMORANDUM IN SUPPORT THEREOF**

502-12 86th Street LLC (“502-12 LLC”), Cottonwood Corners – Phase V, LLC (“Cottonwood”) and Woodlawn Trustees, Incorporated (“Woodlawn”), hereby join in the motion (the “Motion”) (Docket No. 1976) of the Landlords¹ for leave to appeal the Court’s interlocutory order dated January 26, 2009 (Docket No. 1781), arising from the hearing held on December 22, 2008, and ruling on motions² filed by various landlords to compel Circuit City, Inc. and its affiliated entities (collectively, the “Debtors”) to immediately pay post-petition rent for the period of November 10, 2008 through November 30, 2008. 502-12 LLC, Cottonwood and

¹ The Landlords are those creditors listed in Exhibit A of the Motion, a true and accurate copy of which exhibit is attached hereto as Exhibit 1.

² On November 25, 2008, Woodlawn and 502-12 LLC filed their respective motions to compel the Debtors to timely pay post-petition rent pursuant to the provisions of the parties’ respective lease agreements with the Debtors and 11 U.S.C. §§ 365(d)(3) and 503(b). See Docket Nos. 390 and 396. On January 13, 2009, Cottonwood also filed a motion to compel the Debtors to timely pay post-petition rent pursuant to its lease agreement with the Debtors under 11 U.S.C. §§ 365(d)(3) and 503(b). See Docket No. 1489.

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Woodlawn further join in similar, consistent requests that have been or may be filed by other landlords to the Debtor.

WHEREFORE, 502-12 LLC, Cottonwood and Woodlawn respectfully request that any order entered by the Court relating to the Motion and in favor of the Landlords or any other landlords also be entered in favor of 502-12 LLC, Cottonwood and Woodlawn, and for such other and further relief as this Court deems just and proper.

Dated: February 12, 2009

HIRSCHLER FLEISCHER, PC

By: /s/ Sheila deLa Cruz
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of February, 2009, I caused a copy of the foregoing to be served by electronic means on the “2002” and “Core” lists and through the ECF system.

/s/ Sheila deLa Cruz
Sheila deLa Cruz